

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 26, 2007. Claims 1 to 5, 8 to 14, 16 to 20, 23 to 29, 31 and 35 to 39 are pending in the application, of which Claims 1, 16, 31 and 37 to 39 are independent. Reconsideration and further examination are respectfully requested.

Initially, Applicant thanks the Examiner for the indication that Claims 1 to 5, 8 to 14, 16 to 20, 23 to 29, 31, 35 and 36 are allowed.

Claim 39 was rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Without conceding the correctness of the rejection, Applicant has amended Claim 39 to clarify that it is directed to a computer-readable storage medium as requested by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claims 37 to 39 were rejected under 35 U.S.C. § 102(e) over U.S. Published Appln. No. 2002/0001495 (Mochizuki). Reconsideration and withdrawal of this rejection are respectfully requested.

Turning to specific claim language, amended independent Claim 37 is directed to an information processing apparatus which includes a holding unit adapted to hold print data; an issuing unit adapted to issue reference information corresponding to the print data held by the holding unit, to a plurality of printing apparatuses; a receiving unit adapted to receive an acquisition request of the print data, transmitted from any of the plurality of printing apparatuses based on the reference information; a judging unit adapted to judge whether or not the acquisition request received by the receiving unit is the acquisition request first received in regard to the print data; and a transmission control unit adapted to transmit the print data to the printing apparatus which

transmitted the acquisition request in a case where it is judged by the judging unit that the received acquisition request is the first-received acquisition request and in a case where transmission of the print data to another printing apparatus failed and it is not judged by the judging unit that the received acquisition request is the first-received acquisition request, and not to transmit the print data to the printing apparatus which transmitted the acquisition request in a case where transmission of the print data to another printing apparatus has been completed and it is not judged by the judging unit that the received acquisition request is the first-received acquisition request.

Applicant submits that Mochizuki fails to disclose or suggest all of the features of the present invention of Claim 37. Specifically, Mochizuki fails to disclose or suggest a transmission control unit adapted to transmit the print data to the printing apparatus which transmitted the acquisition request in a case where it is judged by said judging unit that the received acquisition request is the first-received acquisition request and in a case where transmission of the print data to another printing apparatus failed and it is not judged by said judging unit that the received acquisition request is the first-received acquisition, and not to transmit the print data to the printing apparatus which transmitted the acquisition request in a case where transmission of the print data to another printing apparatus has been completed and it is not judged by said judging unit that the received acquisition request is the first-received acquisition request.

Specifically, Applicant has amended Claim 37 to clarify that the claimed information processing apparatus will transmit print data in a case where it is judged by said judging unit that the received acquisition request is the first-received acquisition request *and* in a case where transmission of the print data to another printing apparatus failed. Instead, Mochizuki discloses that a host computer transmits print data to a printer which first responded to a retrieval packet, but does not transmit the print data to a printer which next responded to the retrieval packet.

That is, Mochizuki fails to disclose or suggest that print data is transmitted even in the case transmission to another apparatus has failed and an acquisition request is not first.

In light of this deficiency in Mochizuki, Applicant submits that independent Claim 37 is now in condition for allowance and respectfully requests same.

Claims 38 and 39 are directed to a method and a computer readable storage medium, respectively, substantially in accordance with the apparatus of Claim 37. Accordingly, Applicant submits that Claims 38 and 39 are also now in condition for allowance and respectfully requests same.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account 50-3939.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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